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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,334	03/25/2004	Yoshiyuki Ito	119070	5432

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EXAMINER

SEVERSON, JEREMY R

ART UNIT	PAPER NUMBER
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3653

MAIL DATE	DELIVERY MODE
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08/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/808,334

Applicant(s)

ITO, YOSHIYUKI

Examiner

Jeremy R. Severson

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 5, 11 and 13-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 June 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-10, 12 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaoka (US 6,409,165) in view of Tan (US 6,688,592).

Re claims 1, 19 and 20, Yamaoka discloses a sheet feed cassette 10, comprising: a case that accommodates a stack of recording mediums; a slide member 65, provided inside of the case, slidably disposed in association with a size of the stack of recording mediums P, the case and the slide member determining an accommodating area that accommodates the stack of recording mediums; an urging member 70, provided at the slide member that faces one side of the stack of recording

mediums, that urges the one side of the stack of recording mediums; and an actuator 78 that transforms the urging member such that the accommodating area at a top portion of the case is larger than the accommodating area at a bottom portion of the case.

Yamaoka does not disclose an apparatus wherein the slide member slides within a slide opening of the case in a width direction of the recording mediums. Rather, Yamaoka discloses an apparatus wherein the slide member is movable in a width direction of the recording mediums by a user positioning the slide member in slots 67. Tan discloses a slide member 115 that slides within a slide opening of the case in a width direction of the recording mediums, in order to accommodate various media sizes. See Tan, abstract. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the slide member 65 in the apparatus of Yamaoka to slide within a slide opening of the case in a width direction of the recording mediums, as taught by Tan, in order to accommodate various media sizes.

Re claim 2, Yamaoka as modified by Tan comprises the sheet feed cassette according to claim 1, wherein the actuator transforms the urging member such that the accommodating area at the top portion of the case gradually becomes larger from the bottom portion of the case toward the top portion of the case. See, e.g., Yamaoka, fig. 3.

Re claim 3, Yamaoka as modified by Tan comprises the sheet feed cassette according to claim 1, wherein the actuator 78 includes a protrusion projecting from the case toward the urging member inside of the case, the protrusion transforming the urging member. See figs. 5A and 5B of Yamaoka.

Re claim 4, fig. 5B of Yamaoka shows protrusion 78 passing through a protrusion to transform urging member 70.

Re claim 6, the member 65 can be positioned adjacent a side wall of the case, as shown in fig. 3 of Yamaoka.

Re claim 7, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make a tip of the protrusion 78 round, as it is a common design feature of springs to have round ends.

Re claim 8, Yamaoka as modified by Tan comprises the sheet feed cassette according to claim 3, wherein the protrusion contacts the urging member below a center of the urging member. See fig. 5A.

Re claim 9, Yamaoka as modified by Tan comprises the sheet feed cassette according to claim 3, wherein the protrusion 78 has elasticity.

Re claim 10, protrusion 78 is a spring, and therefore, has a spring mounted on the end of itself.

Re claim 12, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the slide member tapered, as a design choice. For example, the slide member of Tan is tapered.

Re claim 18, Yamaoka as modified by Tan comprises an image forming device comprising the sheet feed cassette of claim 1. See fig. 1.

Allowable Subject Matter

Claims 5, 11 and 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Severson whose telephone number is (571) 272-2209. The examiner can normally be reached on Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy R Severson
Examiner
Art Unit 3653

jrs


PATRICK MACKEY
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